



PATENT

Attorney Docket No. 86248.0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Simon FITALL, et al.

Application No. 09/682,644

Filed: October 1, 2001

For: CREATION OF A DATABASE CONTAINING  
PERSONAL HEALTH CARE PROFILES

Commissioner for Patents  
BOX DD  
Washington, D.C. 20231

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) Art Unit: 2166  
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) Examiner: Unassigned  
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**GROUP 3600**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The references contained in this information disclosure statement were first cited in the attached International Search Report (U.S. Searching Authority) dated September 12, 2002 in Applicants' corresponding International Application No. PCT/US01/30523.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.

50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**  
**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

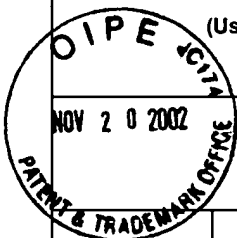
Dated: November 20, 2002

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<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 86248.0006	<b>APPLICATION NO.</b> 09/682,644
	<b>APPLICANT</b> Simon Fitall, et al.	
	<b>FILING DATE</b> October 1, 2001	<b>GROUP</b>  2166



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,664,109	9/2/1997	Johnson et al.			
	AB	5,845,253	12/1/1998	Rensimer et al.			
	AC	6,151,581	11/21/2000	Kraftson et al.			
	AD	6,154,726	11/28/2000	Rensimer et al.			

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## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
							Yes	N

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

CA	International Search Report, Application No. PCT/US01/30523 dated September 12, 2002

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.